

# **2013 DRAFTING REQUEST**

## **Bill**

Received:	<b>3/29/2013</b>	Received By:	<b>emueller</b>
Wanted:	<b>As time permits</b>	Same as LRB:	
For:	<b>David Murphy (608) 266-7500</b>	By/Representing:	<b>Diane Handrick</b>
May Contact:		Drafter:	<b>emueller</b>
Subject:	<b>Education - libraries</b>	Addl. Drafters:	
		Extra Copies:	<b>PG</b>

Submit via email: **YES**  
 Requester's email: **Rep.Murphy@legis.wisconsin.gov**  
 Carbon copy (CC) to:

## **Pre Topic:**

No specific pre topic given

## **Topic:**

Reimbursement of certain library costs by adjacent county

## **Instructions:**

See attached

## **Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	emueller 4/3/2013			_____			
/P1	emueller 6/7/2013	jdye 4/5/2013	jmurphy 4/5/2013	_____	lparisi 4/5/2013		Local
/1		jdye 6/7/2013	phenry 6/7/2013	_____	mbarman 6/7/2013	lparisi 7/16/2013	Local

FE Sent For:

*atutor*  
*8/16/13*

<END>

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/P1	emueller 6/7/2013	jdyer 4/5/2013	jmurphy 4/5/2013	_____	lparisi 4/5/2013		Local
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/P1		jdye 4/5/2013	jmurphy 4/5/2013		lparisi 4/5/2013		Local
/1	6/7/13						

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/?	emueller	PI 4/5 jld	dm 4/5	dm tcm 4/5			

FE Sent For:

<END>

## **Mueller, Eric**

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**From:** Handrick, Diane  
**Sent:** Friday, March 29, 2013 1:11 PM  
**To:** Mueller, Eric  
**Subject:** Drafting request : Library reimbursement among systems

Hi, Eric. My boss wants to draft legislation that would allow, for example, Outagamie County to be paid by Brown County's system for loans. (See string below, from the bottom up.)

Please send us an electronic copy as well as a hard copy.

I know we are generally looking at 2 week turnaround, but if you can do this sooner for us, Dave would really appreciate it. This is a high priority for him.

Please call/email with any questions.

**Diane Handrick**  
**Office of Representative Dave Murphy**

**608-266-7500**

**Room 304 North, State Capitol**

**Madison WI 53708**

**Have you looked for unclaimed property in your name? [www.wismissingmoney.com](http://www.wismissingmoney.com)**

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**From:** Merrifield, Layla  
**Sent:** Wednesday, February 06, 2013 4:26 PM  
**To:** Handrick, Diane  
**Subject:** RE: Library reimbursement among systems

Hi, Diane- Sorry for the delay; it's been a busy day. This is correct--the relevant section of the statutes is 43.12. Under that section, Outagamie is required to pay Brown County for loans to Outagamie residents, although only for those residents who are not residents of municipalities that maintain libraries. Because Brown has a consolidated county library, the county is not required by state law to make payments to adjacent counties (by definition, all Brown county residents have library access and support a library).

A county is required to reimburse only for loans to residents of those municipalities that do not either have their own library or participate in a joint library.

Originally, that is, under 1997 Act 150, a county was only required to reimburse 70% of costs to libraries within that county for loans to non-residents, if the county does not maintain a consolidated library for the county and it contains residents of municipalities that do not maintain a library or joint library. Then under 2005 Act 420, those same payments were extended to adjacent counties (excluding Milwaukee County).

I think the goal was to promote some kind of equity among residents who support a municipal or county library and residents who do not. The idea is that the county is responsible for reimbursing libraries, within or outside the county, for loans to those non-library residents, via this system of billing the counties. In exchange, the county is permitted to levy for a library fund, and that tax is not subject to levy limits.

I hope this helps. DPI maintains a public library page on their site ( [http://pld.dpi.wi.gov/pld\\_act420](http://pld.dpi.wi.gov/pld_act420) ) and I have an informational paper (#36) on public libraries, as well. If you have questions or need anything else, please let me know.

Thanks,  
Layla

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**From:** Handrick, Diane  
**Sent:** Tuesday, February 05, 2013 4:59 PM  
**To:** Merrifield, Layla  
**Subject:** Library reimbursement among systems

Hi, Layla.

Dave wants to know if there is any background information on an issue raised by his libraries in a meeting today.

Apparently, Outagamie County has municipal libraries and the adjacent Brown County has a county-wide system. Up til now, they haven't billed each other for services to each other's patrons, but Brown County decided to bill Outagamie for 33,000. Outagamie then researched their end and gave Brown County a bill also. However, Outagamie says they must pay Brown County, but Brown County doesn't have to pay them.

Is this the law? Has there been anything to change it? Why or why not?

Anything you can offer would help. Feel free to call us or point me in the right direction on this. Thanks so much!

**Diane Handrick**  
**Office of Representative Dave Murphy**

**608-266-7500**

**Room 304 North, State Capitol**  
**Madison WI 53708**

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*D Note*  
State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-2019/P1

EVM: :....  
*jld*

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

*RMR*

*1a 4/3/13*

*Soan*

*PWC  
Jm  
4/5*

*gen*

1

**AN ACT ...; relating to: county payments to public libraries in adjacent counties.** ✓

***Analysis by the Legislative Reference Bureau***

Under current law, a county that does not maintain a consolidated public library for the county and that contains residents who are not residents of a municipality that maintains a public library must pay to each public library in the county, and to each public library in an adjacent county, an amount that is equal to at least 70 percent of the amount computed by multiplying the number of loans of material made by that library to residents of the county who are not residents of a municipality that maintains a public library by the library's average operational cost per loan (library service payment). ✓

Under this bill, a county, whether or not it maintains a consolidated public library for the county, must make a library service payment to each public library in an adjacent county. ✓

*# FCL*

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

2

**SECTION 1.** 43.12 (1) <sup>✓</sup> of the statutes is amended to read:

3

43.12 (1) By March 1 of each year, a county that does not maintain a

4

consolidated public library for the county under s. 43.57 and that contains residents

5

who are not residents of a municipality that maintains a public library under s. 43.52

1 or 43.53 shall pay to each public library in the county, and a county that contains  
2 residents who are not residents of a municipality that maintains a public library  
3 under s. 43.52<sup>✓</sup> or 43.53<sup>✓</sup>, shall pay to each public library in an adjacent county, other  
4 than a county with a population of at least 500,000, an amount that is equal to at least  
5 70% of the amount computed by multiplying the number of loans reported under sub.  
6 (2) by the amount that results from dividing the total operational expenditures of the  
7 library during the calendar year for which the number of loans are reported, not  
8 including capital expenditures or expenditures of federal funds, by the total number  
9 of loans of material made by the public library during the calendar year for which  
10 the loans are reported. The library board of the public library entitled to a payment  
11 under this subsection may direct the county to credit all or a portion of the payment  
12 to a county library service or library system for shared services.

History: 1997 a. 150; 2005 a. 226, 420; 2007 a. 97.

(END)

DNote

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-2019/P1dn

EVM:.....

date

jd

ATTN: Rep. Dave Murphy ✓

Please review the attached draft carefully to ensure that it is consistent with your intent. Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "1" draft. ✓

Eric V. Mueller  
Legislative Attorney  
Phone: (608) 261-7032  
E-mail: [eric.mueller@legis.wisconsin.gov](mailto:eric.mueller@legis.wisconsin.gov)

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2019/P1dn  
EVM:jld:jm

April 5, 2013

ATTN: Rep. Dave Murphy

Please review the attached draft carefully to ensure that it is consistent with your intent. Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft.

Eric V. Mueller  
Legislative Attorney  
Phone: (608) 261-7032  
E-mail: [eric.mueller@legis.wisconsin.gov](mailto:eric.mueller@legis.wisconsin.gov)

**Mueller, Eric**

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**From:** Handrick, Diane  
**Sent:** Thursday, May 23, 2013 11:58 AM  
**To:** Mueller, Eric  
**Subject:** FW: Draft review: LRB -2019/P1 Topic: Reimbursement of certain library costs by adjacent county  
**Attachments:** 13-2019/P1.pdf; DraftersNote1.pdf

Hi, Eric. Please make this a /1 and send it electronically, as well as in hard copy. Thanks!

**Diane Handrick**  
**Office of Representative Dave Murphy**

**608-266-7500**

**Room 304 North, State Capitol**

**Madison WI 53708**

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**From:** LRB.Legal

**Sent:** Friday, April 05, 2013 1:28 PM

**To:** Rep.Murphy

**Subject:** Draft review: LRB -2019/P1 Topic: Reimbursement of certain library costs by adjacent county

**Following is the PDF version of draft LRB -2019/P1 and drafter's note.**



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-2019/P1  
EVM:jld:jm

2013 BILL

RMR

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

No changes

to 6/7/13

Soon

X

Regen

- 1 AN ACT *to amend* 43.12 (1) of the statutes; **relating to:** county payments to  
2 public libraries in adjacent counties.

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***Analysis by the Legislative Reference Bureau***

Under current law, a county that does not maintain a consolidated public library for the county and that contains residents who are not residents of a municipality that maintains a public library must pay to each public library in the county, and to each public library in an adjacent county, an amount that is equal to at least 70 percent of the amount computed by multiplying the number of loans of material made by that library to residents of the county who are not residents of a municipality that maintains a public library by the library's average operational cost per loan (library service payment).

Under this bill, a county, whether or not it maintains a consolidated public library for the county, must make a library service payment to each public library in an adjacent county.

For further information see the **local** fiscal estimate, which will be printed as an appendix to this bill.

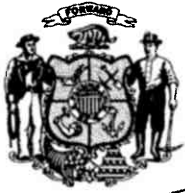
---

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

- 3 SECTION 1. 43.12 (1) of the statutes is amended to read:

43.12 (1) By March 1 of each year, a county that does not maintain a consolidated public library for the county under s. 43.57 and that contains residents who are not residents of a municipality that maintains a public library under s. 43.52 or 43.53 shall pay to each public library in the county, and a county that contains residents who are not residents of a municipality that maintains a public library under s. 43.52 or 43.53, shall pay to each public library in an adjacent county, other than a county with a population of at least 500,000, an amount that is equal to at least 70% of the amount computed by multiplying the number of loans reported under sub. (2) by the amount that results from dividing the total operational expenditures of the library during the calendar year for which the number of loans are reported, not including capital expenditures or expenditures of federal funds, by the total number of loans of material made by the public library during the calendar year for which the loans are reported. The library board of the public library entitled to a payment under this subsection may direct the county to credit all or a portion of the payment to a county library service or library system for shared services.

**(END)**



INSERT  
ANALYSIS

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

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***Analysis by the Legislative Reference Bureau***

*anal: text* → Under current law, a county that does not maintain a consolidated public library for the county and that contains residents who are not residents of a municipality that maintains a public library must pay to each public library in the county, and to each public library in an adjacent county, an amount that is equal to at least 70 percent of the amount computed by multiplying the number of loans of material made by that library to residents of the county who are not residents of a municipality that maintains a public library by the library's average operational cost per loan (library service payment).

*anal: text* → Under this bill, a county, whether or not it maintains a consolidated public library for the county, must make a library service payment to each public library in an adjacent county. *(end ins analysis)*

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## 2013 ASSEMBLY BILL 288

August 16, 2013 – Introduced by Representatives MURPHY, BERNARD SCHABER, THIESFELDT, KESTELL, MURSAU, A. OTT, BERNIER and TITTL, cosponsored by Senator GROTHMAN. Referred to Committee on Urban and Local Affairs.

Joy 1  
Geller  
Dyer 2  
8-16-13  
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INSERT  
Analysis → *Analysis by the Legislative Reference Bureau*

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6 who are not residents of a municipality that maintains a public library under s. 43.52  
7 or 43.53 shall pay to each public library in the county, and a county that contains  
8 residents who are not residents of a municipality that maintains a public library  
9 under s. 43.52 or 43.53, shall pay to each public library in an adjacent county, other

**Parisi, Lori**

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**From:** Handrick, Diane  
**Sent:** Tuesday, July 16, 2013 2:06 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB -2019/1 Topic: Reimbursement of certain library costs by adjacent county

Thank you.

Please Jacket LRB -2019/1 for the ASSEMBLY.



## 2013 ASSEMBLY BILL 288

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